

**Baker & Hostetler LLP**

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Hearing Date: June 16, 2021  
Hearing Time: 10:00 a.m. (EST)  
Objections Due: June 4, 2021  
Objection Time: 4:00 p.m. (EST)

*Attorneys for Irving H. Picard, Trustee  
for the Substantively Consolidated SIPA Liquidation  
of Bernard L. Madoff Investment Securities LLC  
and the chapter 7 estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

**CERTIFICATE OF NO OBJECTION TO TRUSTEE'S FORTIETH OMNIBUS  
MOTION TO DISALLOW CLAIMS AND OVERRULE OBJECTIONS OF  
CLAIMANTS WHO HAVE NO NET EQUITY**

Irving H. Picard, trustee ("Trustee") for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.*, and the chapter 7 estate of Bernard L. Madoff, by and

through his undersigned counsel, submits this certificate pursuant to Local Bankruptcy Rule 9075-2, and respectfully represents:

1. On May 7, 2021, the Trustee filed the Fortieth Omnibus Motion to Disallow Claims and Overrule Objections of Claimants Who Have No Net Equity (the “Motion”) (ECF No. 20498), together with the Declaration of Vineet Sehgal (ECF No. 20499) in support of the Motion.

2. The Notice of the Motion provided a deadline for filing objections to the Motion of June 4, 2021 at 4:00 p.m.

3. Notice of the Motion was provided by U.S. Mail, postage prepaid or email to (i) all claimants (and their counsel) subject to the Motion listed on Exhibit A annexed to the Sehgal Declaration; (ii) all parties included in the Master Service List as defined in the Order Establishing Notice Procedures (ECF No. 4560) (the “Notice Procedures Order”); (iii) all parties that have filed a notice of appearance in this case; (iv) the SEC; (v) the Internal Revenue Service; (vi) the United States Attorney for the Southern District of New York; and (vii) the Securities Investor Protection Corporation, pursuant to the Notice Procedures Order. (ECF Nos. 20501, 20504).

4. Counsel for the Trustee reviewed the Court’s docket not less than forty-eight (48) hours after expiration of the time to file an objection, and to date, no objection, responsive pleading, or request for a hearing with respect to the Motion appears thereon. Additionally, no party has indicated to the Trustee that it intends to oppose the relief requested in the Motion.

5. An electronic copy of a proposed order (the “Order”), that is substantially in the form of the proposed order that was annexed to the Motion and Exhibit A thereto will be submitted to the Court along with this certificate.

6. Pursuant to Local Bankruptcy Rule 9075-2, the Trustee respectfully requests that the Order be entered without a hearing.

Dated: New York, New York  
June 9, 2021

Respectfully submitted,

/s/ David J. Sheehan

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